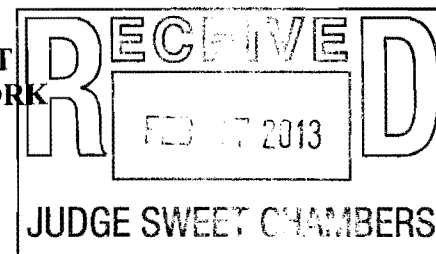


Sweet, R

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK



CANON INC.,

Plaintiff,

v.

Case No. 1:12-cv-00564-RWS

NUKOTE, INC.,

Defendant.

~~PROPOSED~~ DEFAULT JUDGMENT AND PERMANENT INJUNCTION

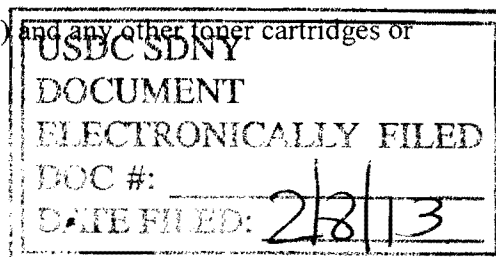
Upon consideration of Plaintiff Canon Inc.'s ("Canon") motion for entry of default judgment and permanent injunction, any opposition thereto, and the entire record in this matter, and pursuant to Federal Rule of Civil Procedure 55(b)(2) and 35 U.S.C. § 283, it is hereby:

ORDERED that Canon's motion is GRANTED;

ORDERED that default judgment is entered in favor of Canon and against Defendant Nukote, Inc. ("Nukote");

ORDERED that, effective as of the date this default judgment and permanent injunction is entered by the Court and continuing until the expiration of the last to expire of U.S. Patent Nos. 5,903,803 ("the '803 Patent") and 6,128,454 ("the '454 Patent"), Nukote and its subsidiaries, affiliates, officers, directors, agents, servants, employees, successors, and assigns, and all other persons and organizations in active concert or participation with it, shall be permanently enjoined and restrained from engaging in any of the following activities:

(a) making, using, selling, or offering for sale in the United States, or importing into the United States, any of the accused toner cartridges identified by model designation in the complaint in this action (*i.e.*, LT102RX, LT123R, LT138R) and any other toner cartridges or





photosensitive drums having a portion designed to interface with a laser beam printer or other electrophotographic image forming apparatus (said portion hereafter referred to as a "Projection") that is substantially the same as any of the Projections shown in the attached Appendix;

(b) otherwise directly infringing, contributorily infringing, or inducing infringement of any of the claims of the '803 Patent or the '454 Patent with respect to any of the accused toner cartridges identified by model designation in the complaint in this action (*i.e.*, LT102RX, LT123R, LT138R) and any other toner cartridges or photosensitive drums that fall within the scope of one or more claims of either the '803 Patent or the '454 Patent, including without limitation any toner cartridge or photosensitive drum having a Projection that is substantially the same as any of the Projections shown in the attached Appendix; and

(c) assisting, aiding, or abetting any other person or business entity in engaging in or performing any of the activities referred to in subparagraphs (a) and (b) above.

SO ORDERED:

Dated: 2-8-13


HON. ROBERT W. SWEET
United States District Judge 

APPENDIX

